

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Philip J. Charvat,
Plaintiff,

Civil Action: 2:09-cv-0490

JUDGE SARGUS

vs.

Magistrate Judge Kemp

Discover Financial Services, Inc., et al.,
Defendants.

NOTICE OF SETTLEMENT CONFERENCE

Under the provisions of **E.D. Order 01-2**, this case is hereby noticed for December 2009, Settlement Week mediation.

December 17, 2010 at 9:00 a.m. with Mediator Sandra L. Lynskey

Please report to the Joseph P. Kinneary U.S. Courthouse, 85 Marconi Boulevard, Columbus, Ohio for **the posting of mediation room assignments OUTSIDE room 121.**

The **rules for mediation** are:

1. **Each party** and their **trial attorney** must **attend**.
2. No later than **November 29, 2010**, **plaintiff** must serve a fully documented written **settlement demand** on the mediator and counsel for all other parties.
3. No later than **December 6, 2010**, defendant must make a reasoned written **response** served on all counsel and the mediator.
4. All settlement discussions shall be subject to Federal Evidence Rule 408.

CANCELLATION. If **all counsel** agree that the case should not be mediated during the December 2009 Settlement Week, they **must** initiate a telephone conference call with Magistrate Judge Kemp [(614) 719-3410] **no later than December 6, 2010**. If the parties disagree on that issue, the party seeking cancellation **must** file a **motion** no later than **December 6, 2010**. The motion must be **supported by a memorandum which complies with E.D. Order 01-2 and which is served on the client.**

Terence P. Kemp
United States Magistrate Judge

November 15, 2010

/s/ Wanda J. Harrison
Wanda J. Harrison, Deputy Clerk
(614) 719-3023

Mediator

Sandra L. Lynskey, Auditor of State Mary Taylor, COA, 88 East Broad Street, 5th Floor, Columbus OH 43215; 614.466.4514; sllynskey@auditor.state.oh.us and dlcarr@auditor.state.oh.us